

REMARKS

In response to the Final Office Action mailed February 23, 2007, Applicants respectfully request reconsideration. To further the prosecution of this application, amendments have been made in the claims, and each of the rejections set forth in the Office Action has been carefully considered and is addressed below. The claims as presented are believed to be in condition for allowance.

Claims 1-6, 8-10 and 18-39 were previously pending in this application. Claims 1, 9, 10 and 18 are amended herein. No claims have been added or canceled. As a result, claims 1-6, 8-10 and 18-39 remain pending for examination, with claims 1, 9, 10 and 18 being independent. No new matter has been added.

Telephone Conference with Examiner

Applicants' representatives thank Examiner Ly for the courtesies extended in granting and conducting a telephone interview on April 30, 2007. The substance of the interview is summarized herein.

During the interview, Applicants' representatives provided an overview of one embodiment of the invention, which relates to an apparatus comprising, *inter alia*, a control unit which detects a reproduction status of a plurality of content data items (e.g., whether a music, video or other content data item has been played, for how long, how many times within a given period, etc.) and selects a recommendation content data item based on that reproduction status. A communication unit transmits a list showing the selected recommendation content data item to another apparatus. Applicants' representatives explained that, in one implementation wherein the apparatus comprises a media (e.g., music) player, selection of a media file based on its reproduction status may allow, for example, the player to automatically assemble a list of recommended media files as a user employs the device in the normal course, without requiring any overt action by the user. The list of recommended media files may be transmitted to another media player, such that users of different media players may easily share lists of their favorite songs.

The rejection of claims 1-10 and 18-39 under 35 U.S.C. §103(a) as purportedly being unpatentable over U.S. Patent Publication No. 2001/0006771 to Kajiyama et al. ("Kajiyama") in